



07-09-03

AP/3627

Patent
Attorney Docket No. Old: GEM-30890
New: GEMS8081.028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : SINGH, Vikram et al.
Serial No. : 09/468,752
Filed : December 21, 1999
For : **Method and Apparatus for Screening a
Potential Customer and Assigning an
Account Number to the Potential Customer
Across a Global Computer Network**
Group Art No. : 3627
Examiner : Andrew J. Rudy

RECEIVED
JUL 15 2003
GROUP 3600

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

Mailing

deposited with the US Postal Service in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231
37 CFR 1.8(a) 37 CFR 1.10
 with sufficient postage as first class mail As "Express Mail Post Office to Addressee" Mailing Label No. EV316999866US
Transmission
 transmitted by facsimile to Fax No.: 703-305-7687 addressed to Examiner Andrew J. Rudy at the Patent and Trademark Office.

Date: 7-7-03

Signature: John A. Jordan

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO 6-25-03 NOTIFICATION OF
NON-COMPLIANCE WITH 37 CFR 1.192(c)**

Dear Sir:

This is a response to the Notification of Non-Compliance With 37 CFR 1.192(c) mailed June 25, 2003.

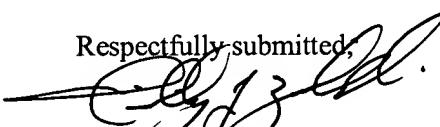
REMARKS

The Examiner asserts that the “summary of invention contained in the brief is deficient because the brief does not refer to the page and line number, and the drawing reference characters for each claim at issue as required by 37 CFR 1.192(c)(5).” Appellant reviewed the Summary, and telephoned the Examiner because the Summary does indeed include page and line numbers (although it did not include reference characters from the drawings). The Examiner explained that the rejection was based on a misconception that the Summary must summarize each independent claim. Appellant has reviewed the MPEP and found no support for this requirement, and the Examiner, via telephone, seemed to agree. MPEP §1206. Nevertheless, Appellant has amended the Summary of the Invention to include further brief description of the invention and to include drawing reference characters.

The Examiner also asserts that the Appeal Brief is deficient because Appellant “does not discuss each dependent claim, e.g. claims 4, 5, and does not give reasons for each claim [to stand or fall together or separately] as required.” Appellant notes that Appellant did indeed state that “claims 1-23 do not necessarily stand or fall together because, as will be shown below, claims 1-3, 6-10, and 12-23, include subject matter that is each believed patentably distinct from the art of record.” Page 3 of original Brief. Accordingly, claims 4, 5, and 11, stand or fall with independent claim 1 under Issue 1, and similarly, Appellant made a similar reference under Issue 2. However, Appellant has amended page 4 to explicitly state that under Issue 1, claims 4, 5, and 11 stand or fall with independent claim 1. Additionally, Appellant has amended page 23 to state that under Issue 2, claims 3-5 and 11 stand or fall with independent claim 1 and claim 22 stands or falls with independent claim 18.

As such, Appellant believes the alleged deficiencies identified by the Examiner have been corrected. Appellant appreciates the Examiner’s consideration of these Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,



Timothy J. Ziolkowski
Registration No. 38,368
Direct Dial 262-376-5139
tjz@zpspatents.com

Dated: July 7, 2003

Attorney Docket No. **Old:** GEM-30890/**New:** GEMS8081.028

P.O. ADDRESS:

Ziolkowski Patent Solutions Group, LLC
14135 North Cedarburg Road
Mequon, WI 53097-1416